

FD-440 (Rev. 06/12) Summons in a Civil Action

**RECEIVED**  
NOV 31 2013  
@ 8:00 AM

## UNITED STATES DISTRICT COURT

for the  
Eastern District of Texas

TexasFile, LLC

\_\_\_\_\_  
*Plaintiff(s)*

v.

Tyler Technologies, Inc., d/b/a TexFile.com

\_\_\_\_\_  
*Defendant(s)*

Civil Action No. 4:13-cv-00635

**FILED**  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
NOV 13 2013  
BY \_\_\_\_\_  
DEPUTY CLERK  
AFFIDAVIT ATTACHED

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Tyler Technologies, Inc., d/b/a TexFile.com  
 5949 Sherry Lane, Suite 1400  
 Dallas, Texas 75225  
 Tyler Technologies may be served upon its registered agent for service of process,  
 Capital Corporate Services, Inc.  
 800 Brazos, Suite 400  
 Austin, Texas 78701

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: John T. Cox III, Lynn Tillotson Pinker & Cox, LLP, 2100 Ross Avenue, Suite 2700, Dallas, Texas 75201

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: 10/30/13

CLERK OF COURT

  
Signature of Clerk or Deputy Clerk

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Civil Action No. 4:13-cv-00635

**PROOF OF SERVICE***(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* Tyler Technologies, Inc., d/b/a TexFile.com  
 was received by me on *(date)* 10/31/2013.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
 \_\_\_\_\_, a person of suitable age and discretion who resides there,  
 on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
 designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
 \_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☒ Other *(specify)*:

**AFFIDAVIT ATTACHED**

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**AFFIDAVIT OF SERVICE**

TEXASFILE, LLC

Plaintiff

V.

Cause No. 4:13-CV-00635

TYLER TECHNOLOGIES, INC.  
d/b/a TEXFILE.COM

Defendant

Came to hand on October 31, 2013, at 08:00 AM.

Executed at 800 Brazos Street, Suite 400, Austin, TX 78701, within the County of Travis at 10:46 AM on October 31, 2013, by delivering to the within named:

**TYLER TECHNOLOGIES, INC. d/b/a TEXFILE.COM,**

**by delivering to its Registered Agent, CAPITOL CORPORATE SERVICES, INC., by delivering to its designated agent, ANDY ERWIN, in person, a true copy of this Summons in a Civil Action together with Original Complaint and Civil Cover Sheet, having first endorsed upon such copy of such process the date of delivery.**

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103 and 536(a) of the TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the above-referenced cause.

By: \_\_\_\_\_

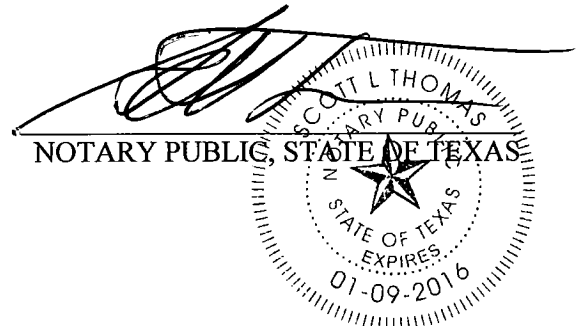
Jeff Keyton SCH-735,  
Exp: 7/31/2014

**VERIFICATION**

STATE OF TEXAS       §  
COUNTY OF TRAVIS   §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Jeff Keyton, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this October 31, 2013.



13-007243/303-0624